

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

CONVOLVE, INC.

vs.

DELL, INC., ET AL

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CASE NO. 2:08-CV-244-CE

**ORDER**

The court held exhibit hearings in this matter on June 23, 2011 and July 12, 2011. The court carried three objections. The court's rulings on these objections are detailed below.

- Defendants' objections to Plaintiff's exhibits number 927, 837, 838, and 481, which reflect communications between Seagate Technology LLC and Dell regarding the AAM industry standard, are **OVERRULED**.
- Plaintiff's objections to Defendants' exhibits number 758 and 759 are **OVERRULED** as moot because Plaintiff has withdrawn its objections to these exhibits (*see* Dkt. No. 477).
- Defendants' exhibit number 443 is an opinion letter regarding the patent-in-suit, which was received by Seagate Technology in another litigation. Defendants have represented that this document is solely relevant to the objective prong of the willfulness analysis. Considering this, Plaintiff's objections are **SUSTAINED**.

SIGNED this 14th day of July, 2011.

  
CHARLES EVERINGHAM IV  
UNITED STATES MAGISTRATE JUDGE